

CLOSED,NEBRASKADOCKET,PROSEDOCKET,TRIAL-OMAHA  
**U.S. District Court**  
**District of Nebraska (8 Omaha)**  
**CIVIL DOCKET FOR CASE #: 8:12-cv-00306-LES-PRSE**

Widtfeldt v. United States et al  
Assigned to: Senior Judge Lyle E. Strom  
Referred to: Pro Se Docket  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/28/2012  
Date Terminated: 05/16/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**James Widtfeldt**

represented by **James Widtfeldt**  
P.O. Box 877  
Atkinson, NE 68713-0877  
(402) 925-2535  
Fax: (402) 925-2564  
PRO SE

V.

**Defendant**

**United States**

represented by **Robert L. Homan**  
U.S. ATTORNEY'S OFFICE – OMAHA  
1620 Dodge Street  
Suite 1400  
Omaha, NE 68102-1506  
(402) 661-3700  
Fax: (402) 661-3081  
Email: [robert.homan@usdoj.gov](mailto:robert.homan@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Internal Revenue Service**

represented by **Robert L. Homan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Arthur Welp**

represented by **Robert L. Homan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**IRS Appeals Agent**

represented by **Robert L. Homan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Successor IRS Agent to Arthur Welp**

represented by **Robert L. Homan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Treasury**

represented by **Robert L. Homan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/28/2012	<u>1</u>	COMPLAINT against IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury and Arthur Welp with receipt number 8-21335, in the amount of \$ 350; filed on behalf of Plaintiff James Widtfeldt. No summons issued. (MKR) (Entered: 08/29/2012)
08/29/2012	<u>2</u>	ORDER pursuant to General Order No. 2007-12: All pro se civil cases that are assigned to a district judge for trial, whether filed by a prisoner or not, are herewith exempted from the disclosure and conference requirements of F.R.Civ.P. 26, except in pending cases where a scheduling order (or packet) or progression order has been previously issued, the parties shall abide by such scheduling or progression orders. In the future, it will not be the practice of the court to issue scheduling packets in pro se civil cases assigned to district judges. Instead, it will be the practice to issue a progression order, addressing discovery and other issues, approximately 30 days after the last defendant has answered. Ordered by Senior Judge Richard G. Kopf. (Copy mailed to pro se party)(MKR) (Entered: 08/29/2012)
08/29/2012	<u>3</u>	NOTICE by Clerk acknowledging receipt of complaint filed by a pro se party. (MKR) (Entered: 08/29/2012)
08/29/2012	<u>4</u>	Summons Issued (COPY) as to defendant IRS Appeals Agent, Internal Revenue Service, Successor IRs Agent to Arthur Welp, United States and Arthur Welp regarding Complaint – Pro Se, <u>1</u> . (MKR) (Entered: 08/30/2012)
10/01/2012	<u>5</u>	MOTION for Extension of Time to File a Responsive Pleading by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp.(Homan, Robert) (Entered: 10/01/2012)
10/02/2012	<u>6</u>	TEXT ORDER granting <u>5</u> Motion for Extension of Time to File a Responsive Pleading. IRS Appeals Agent answer or response due 10/31/2012; Internal Revenue Service answer or response due 10/31/2012; Successor IRS Agent to Arthur Welp answer or response due 10/31/2012; United States answer or response due 10/31/2012; United States Treasury answer or response due 10/31/2012; Arthur Welp answer or response due 10/31/2012. Ordered by Deputy Clerk. (Copy mailed to pro se party)(MKR) (Entered: 10/02/2012)
10/29/2012	<u>7</u>	MOTION for Extension of Time to File a Responsive Pleading ( <i>Second</i> ) by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp.(Homan, Robert) (Entered: 10/29/2012)
10/29/2012	<u>8</u>	SUMMONS Returned Executed upon (Deborah R. Gilg) defendant United States on 9/12/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>9</u>	SUMMONS Returned Executed upon (U.S. Attorney General) defendant United States on 9/17/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>10</u>	SUMMONS Returned Executed upon defendant Successor IRS Agent to Arthur Welp on 9/12/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>11</u>	SUMMONS Returned Executed upon defendant IRS Appeals Agent on 9/12/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>12</u>	SUMMONS Returned Executed upon defendant IRS Appeals Agent on 9/17/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>13</u>	SUMMONS Returned Executed upon defendant United States. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>14</u>	SUMMONS Returned Executed upon defendant Arthur Welp, Appeals Agent on 9/17/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>15</u>	SUMMONS Returned Executed upon defendant IRS Appeals Agent (c/o Solicitor General). (MKR) (Entered: 10/29/2012)

10/29/2012	<u>16</u>	SUMMONS Returned Executed upon defendant United States (c/o Solicitor General). (MKR) (Entered: 10/29/2012)
10/29/2012	<u>17</u>	SUMMONS Returned Executed upon defendant IRS Appeals Agent (Solicitor General). (MKR) (Entered: 10/29/2012)
10/29/2012	<u>18</u>	SUMMONS Returned Executed upon defendant Arthur Welp, Appeals Agent (c/o solicitor General). (MKR) (Entered: 10/29/2012)
10/29/2012	<u>19</u>	SUMMONS Returned Executed upon defendant Internal Revenue Service (c/o Solicitor General) on 9/17/2012. (MKR) (Entered: 10/29/2012)
10/29/2012	<u>20</u>	SUMMONS Returned Executed upon defendant Internal Revenue Service (c/o Deborah R. Gilg). (MKR) (Entered: 10/29/2012)
10/29/2012	<u>21</u>	SUMMONS Returned Executed upon defendant Successor IRS Agent to Arthur Welp (c/o Attorney General) on 9/17/2012. (MKR) (Entered: 10/29/2012)
10/30/2012	<u>22</u>	TEXT ORDER granting <u>7</u> Motion for Extension of Time to File a Responsive Pleading. IRS Appeals Agent answer or response due 12/3/2012; Internal Revenue Service answer or response due 12/3/2012; Successor IRS Agent to Arthur Welp answer or response due 12/3/2012; United States answer or response due 12/3/2012; United States Treasury answer or response due 12/3/2012 and Arthur Welp answer or response due 12/3/2012. Ordered by Senior Judge Lyle E. Strom. (Copy mailed to pro se party)(MKR) (Entered: 10/30/2012)
11/29/2012	<u>23</u>	MOTION to Dismiss by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp.(Homan, Robert) (Entered: 11/29/2012)
11/29/2012	<u>24</u>	INDEX in support of MOTION to Dismiss <u>23</u> by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp. (Attachments: # <u>1</u> Declaration)(Homan, Robert) (Entered: 11/29/2012)
11/29/2012	<u>25</u>	BRIEF in support of MOTION to Dismiss <u>23</u> by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp.(Homan, Robert) (Entered: 11/29/2012)
02/07/2013	<u>26</u>	BRIEF in opposition to CIR Defendant's Efforst to Dismiss <u>23</u> on behalf of Plaintiff James Widtfeldt.(MKR) (Entered: 02/07/2013)
02/19/2013	<u>27</u>	MOTION to Strike Brief <u>26</u> by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp.(Homan, Robert) (Entered: 02/19/2013)
02/19/2013	<u>28</u>	BRIEF in support of MOTION to Strike Brief <u>26 27</u> and in response to Plaintiff's <i>Resistance to Motion to Dismiss</i> by Attorney Robert L. Homan on behalf of Defendants IRS Appeals Agent, Internal Revenue Service, Successor IRS Agent to Arthur Welp, United States, United States Treasury, Arthur Welp.(Homan, Robert) (Entered: 02/19/2013)
05/16/2013	<u>29</u>	MEMORANDUM OPINION on the Defendants' Motion to Dismiss <u>23</u> and Motion to Strike <u>27</u> . A separate order will be entered in accordance with this memorandum opinion. Ordered by Senior Judge Lyle E. Strom. (Copy mailed to pro se party)(MKR) (Entered: 05/16/2013)
05/16/2013	<u>30</u>	ORDER AND JUDGMENT pursuant to the Memorandum and Order <u>29</u> entered herein this date, Defendants' Motion to Dismiss (Filing No. <u>23</u> ) is granted, and the complaint is dismissed without prejudice. Defendants Motion to Strike (Filing No. <u>27</u> ) is denied as moot. Ordered by Senior Judge Lyle E. Strom. (Copy mailed to pro se party)(MKR) (Entered: 05/16/2013)